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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

PADAM GIRI,

Plaintiff,

v.

ROBERT MUELLER, III, Director, Federal  
 Bureau of Investigation; EMILIO  
 GONZALES, Director, U.S. Citizenship and  
 Immigration Services; MICHAEL  
 CHERTOFF, Secretary, Department of  
 Homeland Security; MICHAEL B.  
 MUKASEY, Attorney General, Department  
 of Justice; TERRY RICE, San Francisco  
 Field Office Director, USCIS; EMILIA  
 BARDINI, Director, Asylum Office, San  
 Francisco,

Defendants.

No. C 07-5219 JCS

**JOINT REQUEST TO BE EXEMPT  
 FROM FORMAL ADR PROCESS;  
 PROPOSED ORDER**

Each of the undersigned certifies that he or she has read either the handbook entitled  
 “Dispute Resolution Procedures in the Northern District of California,” or the specified portions  
 of the ADR Unit’s Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute  
 resolution options provided by the court and private entities, and considered whether this case  
 might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because  
 this mandamus action is limited to Plaintiff’s request that this Court compel Defendants to

1 adjudicate his application for asylum. Given the substance of the action and the lack of any  
2 potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax  
3 court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be  
4 removed from the ADR Multi-Option Program and that they be excused from participating in the  
5 ADR phone conference and any further formal ADR process.

6 Dated: December 28, 2007

Respectfully submitted,

7 SCOTT N. SCHOOLS  
8 United States Attorney

9 \_\_\_\_\_/s/  
10 MELANIE L. PROCTOR<sup>1</sup>  
11 Assistant United States Attorney  
12 Attorneys for Defendants

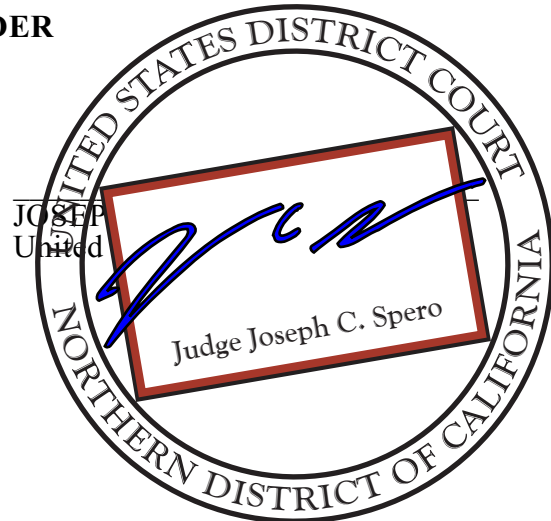
13 Dated: December 21, 2007

14 \_\_\_\_\_/s/  
15 BEN LOVEMAN  
16 Attorney for Plaintiff

17 **ORDER**

18 Pursuant to stipulation, IT IS SO ORDERED.

19 Dated: Jan. 7, 2008



<sup>1</sup> I, Melanie Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.